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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,888	12/12/2001	Markku Ruuskanen	796.422USWI	1010

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ALTERA LAW GROUP, LLC  
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MINNEAPOLIS, MN 55344-7704

EXAMINER

TRAN, KHAI

ART UNIT PAPER NUMBER

2631

DATE MAILED: 08/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/017,888

Applicant(s)

RUUSKANEN, MARKKU

Examiner

KHAI TRAN

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2631

### **DETAILED ACTION**

1. The preliminary amendments A and B have been entered. Claims 1-6 are pending in this Office action.

#### ***Drawings***

2. Figures 1, 2, 3, 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

3. Claims 1 and 5 are objected to because of the following informalities:

Appropriate correction is required.

Regarding claim 1 (lines 5, 10, 13, 15, 16, ), claim 5 (lines 7, 9, ) contain the term "the said". Therefore, these terms should be read as "said".

#### ***Claim Rejections - 35 USC § 112***

Art Unit: 2631

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, line, the term "the synchronisation signal" lacks antecedent basis; line 5, the term "the phase different" lacks antecedent basis; line 6, the term "the phase clock's oscillator" lacks antecedent basis; line 7, the term "the measured phase difference" lacks antecedent basis; line 13, the term "said limit value" lacks antecedent basis; line 15, the term "the finding" lacks antecedent basis; line 16, the term "the setting phase" lacks antecedent basis.

Regarding claim 2, line 3, the term "the component" lacks antecedent basis.

Regarding claim 3, line 2, the term "the functional route" lacks antecedent basis.

Regarding claim 4, line 2, the term "the functional route" lacks antecedent basis.

Regarding claim 5, line 2, the term "the desired synchronisation source" lacks antecedent basis; line 5, the term "the phase difference" lacks antecedent basis; lines 5-6, the term "the signals supplied to the inputs" lacks antecedent basis; line 7, the term "said output signal" lacks antecedent basis; line 11-12, the term "the measured phase difference" lacks antecedent basis; lines 12-13, the term "the phase lock" lacks antecedent basis.

Regarding claim 6, line 4, the term "the setting of a setting value".

Art Unit: 2631

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art, specially Figures 1-4, pages 1-3 of the specification.

Regarding claims 1, 5, the admitted prior art discloses a method and a digital phase lock arrangement as shown in Figure 1, comprises: selection components (12) for selecting the desired synchronization source from a set of at least two different synchronization sources (sync 1 and sync 2); a phase comparator (13), which has a first and a second input<sup>ave</sup> and which is used for generating an output signal dependent on the phase difference between the signals supplied to the inputs; controllers (14) for forming a control word in response to the output signal which is dependent on the phase difference; an oscillator (16) is controlled with the aid of the control word.

Regarding claim 6, the admitted prior art discloses starting components for starting the normal adjustment function of the loop (see Fig. 4, a start phase lock's adjustment algorithm (45)).

Regarding claims 2-4, the admitted prior art discloses phase transfer of the second synchronization signal being carried out by preventing for a certain time access of the signal formed from the phase lock's oscillator; and preventing takes place by

Art Unit: 2631

cutting off the functional route of the signal formed oscillator (an oscillator signal cut-off (17), see pages 2-3).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dong (U.S Pat. 5,268,655) discloses a device and method for automatically adjusting a phase-locked loop.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**or:**

(703) 308-6743, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Khai Tran** whose telephone number is **(703) 305-1876**. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ghayour Mohammed**, can be reached on **(703) 305-4378**.

Application/Control Number: 10/017,888

Page 6

Art Unit: 2631

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.



**KHAI TRAN**  
**PATENT EXAMINER**

***KT***  
***August 20, 2003***